IN THE HIGH COURT OF JUDICATURE OF BOMBAY

CRIMINAL APPELLATE JURISDICTION

CRIMINAL APPLICATION NO. 4312 OF 2004

Mohammad Halim Mohd.
Jamaluddin ... Applicant

versus

The State of Maharashtra ... Respondent

...

Mr. N.U. Khan, for the Applicant.

Mr. K.V. Saste, A.P.P., for the Respondent.

...

CORAM : A.M.KHANWILKAR,J.

3rd November 2004

P.C.:

. Heard Counsel for the parties. Perused the record. The Applicant has been arrested in connection with offences registered at D.N. Nagar Police Station being CR.No. 168/2004 punishable under sections 363, 364-A, 365 read with section 34 of the Indian Penal Code. The role of the Applicant is stated to be of having furnished information regarding financial

position of the family of the abducted child. It is not in dispute that the co-accused has already been released on bail by the lower Court. Insofar as the present Applicant is concerned, the lower Court has essentially observed that the Applicant has no roots in Mumbai and there is all likelihood of the Applicant fleeing from the ends of justice. To get over this position, the Applicant has offered to give two local sureties for the bail amount besides undertaking to report to the D.N. Nagar Police Station regularly. The Applicant's brother is employed in Mumbai and the Applicant is staying with him. In the circumstances, the Applicant can be released on bail by imposing strict conditions as follows.

(a) The Applicant is enlarged on bail in connection with CR.No. 168/2004 registered with D.N. Nagar Police Station on his executing personal bond in the sum of Rs. 25,000/- (Rupees Twenty five thousand only) with two local sureties in the like amount.

(b) The Applicant shall attend D.N. Nagar Police Station during the pendency

of the trial once in fortnight on Saturday between 10 a.m. and 1 p.m.

(c) The Applicant shall not influence the prosecution witnesses or tamper with the prosecution evidence in any manner whatsoever.

(d) The Applicant shall extend full co-operation for early disposal of the trial. If the trial Court is of the opinion that the Applicant is responsible for smooth progress of the trial, that fact be recorded in the roznama, which can be a ground for cancellation of bail.

. Application disposed of on the above terms.

. Parties to act on the authenticated copy of this order.

(A.M.KHANWILKAR,J.)